

60 Rec'd PCT/PTO 12 JAN 2001

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DOCKET NO.: 198928US0PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Claude MORIN, et al.

SERIAL NUMBER: 09/700,684

FILED: 17 November 2000

FOR: ELECTROCHEMICAL DEVICE, SUCH AS AN ELECTRICALLY CONTROLLED  
SYSTEM WITH VARIABLE OPTICAL AND/OR ENERGY PROPERTIES

**RESPONSE TO NOTICE OF MISSING REQUIREMENT UNDER 35 U.S.C. 371**

ASSISTANT COMMISSIONER FOR PATENTS & TRADEMARKS

WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated **15 December 2000**, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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**22850**

O.S.&M. File No. 198928US0PCT

By NFO/cs FF

Due date 01/15/01

Serial No. 09/700,684

In the Matter of the Application of Claude MORIN, et al.

For ELECTROCHEMICAL DEVICE, SUCH AS AN ELECTRICALLY  
CONTROLLED SYSTEM WITH VARIABLE OPTICAL AND/OR ENERGY  
PROPERTIES

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐    pgs. Specification,    Claims (English Translation)
- ☒ Response to Notice of Missing Requirement Under 35 U.S.C. 371
- ☒ Combined Declaration, Petition & Power of Attorney (4 pages)
- ☒ Copy of Notification of Missing Requirements
- ☐ Preliminary Amendment
- ☐ Petition for Extension of Time
- ☐ Check for \$      ; ☒ Dep. Acct. Order Form
- ☐ Verified Statement (Declaration) Claiming Small Entity Status
- ☐ Submission of Verified Statement (Dec.) Claiming Small Entity Status
- ☐ Declaration of
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings    sheets
- ☐ List of Related Cases
- ☐ Information Disclosure Statement; ☐ PTO-1449
- ☐ Cited References (    )
- ☐        Search Report
- ☐ Statement of Relevancy

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OBLON, SPIVAK, MCCLELLAND,  
MAIER & NEUSTADT, P.C.



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

URGENT

U.S. APPLICATION NO. 09/700684	FIRST NAMED APPLICANT MORIN	ATTY. DOCKET NO. C	198928US0PCT
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT FOURTH FLOOR 1755 JEFFERSON DAVIS HIGHWAY ARLINGTON, VA 22202		INTERNATIONAL APPLICATION NO. PCT/FR00/00675	
		I.A. FILING DATE 17 MAR 00	PRIORITY DATE 19 MAR 99
		DATE MAILED: 15 DEC 2000	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),  
☐ an Elected Office (37 CFR 1.495):  
☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☒ a non-English language.  
☐ English.  
☒ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☐ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_.  
☐ Verified Statement Claiming Small Entity Status.  
☒ Priority Document.  
☒ Copy of the International Search Report ☒ and copies of the references cited therein.  
☐ Other:

20 1-15-01

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Paulette Kidwell, Paralegal

Telephone: 703-305-3656